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**FILED**  
 JUN 26 2007  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

Joaquin A. RODRIGUEZ TORRES )  
 Cornelia M. STEUBE )

Plaintiffs,

v.

Gerard Heinauer, Director )  
 U.S. Citizenship & Immigration Services )  
 Nebraska Service Center, )

Dr. Emilio T. Gonzalez, Director )  
 U.S. Citizenship & Immigration Services, )

Michael Chertoff, Secretary of the U.S. )  
 Department of Homeland Security, )

Robert Mueller, Director, )  
 Federal Bureau of Investigation, )

Alberto Gonzales, Attorney General )  
 U.S. Department of Justice )

Defendants.

Civil Case No.  
**C 07**

**3345**

Agency Case Nos. 97-865-459  
 97-865-460

**TEH**

COMPLAINT FOR A WRIT IN THE  
 NATURE OF MANDAMUS

This case is brought by Plaintiffs to compel completion of their FBI name checks so that their applications for lawful permanent resident status, pending with Defendants since June 14, 2004,

1 may be adjudicated. Defendants have refused and failed to adjudicate Plaintiffs' cases to the  
2 extreme detriment of Plaintiffs.

### 3 PARTIES

4 1. Plaintiff Joaquin A. Rodriguez Torres is a citizen of Argentina lawfully present in the  
5 United States. His admission for permanent residence has been found by the U.S. Citizenship &  
6 Immigration Services ("USCIS") to be in the national interest. Plaintiff Cornelia M. Steube, a  
7 citizen of Germany, is Rodriguez Torres' wife. She has filed an application for permanent  
8 resident status as Rodriguez Torres' dependent.

9 2. Defendant Gerard Heinauer is sued in his official capacity as the Director of the Nebraska  
10 Service Center ("NSC") of the USCIS. He is charged by law with the obligation of adjudicating  
11 applications for permanent residence.

12 3. Defendant Emilio T. Gonzalez is sued in his official capacity as the Director of USCIS.  
13 He is the officer who oversees the activities of USCIS. He is charged by law with the obligation  
14 of adjudicating applications for permanent residence.

15 4. Defendant Michael Chertoff is sued in his official capacity as the Secretary of the  
16 Department of Homeland Security. He is the officer who oversees the activities of USCIS. He  
17 is charged by law with the obligation of adjudicating applications for permanent residence.

18 5. Defendant Robert Mueller is sued in his official capacity as the Director of the Federal  
19 Bureau of Investigation ("FBI"). The FBI is the agency currently charged with "clearing" aliens  
20 for immigration benefits. The USCIS regularly attributes its delays to the FBI. The Special  
21 Agent in Charge of the San Francisco office may be served at his office in San Francisco,  
22 California.

### 23 JURISDICTION

24 6. This action arises under the U.S. Constitution and the Immigration and Nationality Act of  
25 1952 ("INA"), 8 USC §1255. This Court has jurisdiction over this petition for writ of mandamus  
26 pursuant to 28 USC §1331 (federal question jurisdiction), 5 USC §706 (the Administrative  
27 Procedure Act), and 28 USC §1361 (the Mandamus Act).

**VENUE**

7. Venue in this district is proper under 28 USC §1391 because Plaintiffs live in this judicial district. Defendant U.S. Citizenship and Immigration Services (“USCIS”), an agency of the U.S. Department of Homeland Security (“DHS”), has the authority to adjudicate Plaintiffs’ applications for adjustment of status to permanent residence (hereinafter the “application”) and the FBI, have offices in this judicial district.

**EXHAUSTION**

8. USCIS owes Plaintiffs a duty to adjudicate their properly filed applications within a reasonable time; it has neglected this duty for three years. Plaintiffs have no adequate remedy other than petitioning the Court’s mandamus authority to redress the unreasonable delay in processing their applications.

**STATEMENT OF FACTS**

9. Plaintiff Rodriguez Torres’ Declaration detailing the facts presented herein is attached as Exhibit A. Rodriguez Torres is an investment banker and Director of Semiconductor Investment Banking for Deutsche Bank Securities Inc. located at 101 California Street, 46th Floor San Francisco, California 94111. He specializes in financing technology companies.

10. Rodriguez Torres originally entered the U.S. with an F-1 student visa and later changed status to an H-1B visa as a specialist to work for Lehman Brothers. On June 14, 2004, Rodriguez Torres filed a national interest immigrant visa petition, Form I-140. That application was approved on September 8, 2005. Also on June 14, 2004, Rodriguez Torres and his wife filed applications for adjustment of status per 8 USC §1255 with the California Service Center of the USCIS. The I-140 approval and adjustment receipt notices are included at Exhibit B. Rodriguez Torres then moved to Deutsche Bank Securities, Inc. where he legally works with an employment authorization document issued by the USCIS. USCIS subsequently transferred the adjustment applications to the NSC. The transfer notices are attached as Exhibit C.

11. USCIS should have submitted the Plaintiffs’ FBI name check requests on or about June 14, 2004. Plaintiffs were fingerprinted by Defendants on August 4, 2004, October 5, 2005, and March 7, 2007. Evidence of the fingerprinting is included herein at Exhibit D.

1 12. Defendants' email to Plaintiffs' counsel stating their applications remain pending subject  
2 to obtaining FBI name checks is at Exhibit E.

3 13. Despite eligibility for permanent residence, Plaintiffs' applications remain unadjudicated.  
4 Defendants have had all the information required to obtain an FBI name check for Plaintiffs  
5 since their adjustment applications were first submitted three years ago. Defendants' refusal to  
6 act is arbitrary, willful, unreasonable and prejudicial to Plaintiffs.

7 14. Immigrants who choose not to apply for adjustment of status per 8 USC §1255 after  
8 approval of an I-140 visa petition may apply for an immigrant visa via an American consul  
9 overseas which grants the applicant an immigrant visa. Permanent resident status is issued upon  
10 arrival in the U.S. Consuls obtain the needed FBI and other clearances in a few days or weeks.  
11 Immigrant visa applicants do not face years of delay as have Plaintiffs.

12 15. Plaintiffs have been and will continue to be damaged by Defendants' failure to act. For  
13 example, Plaintiffs must obtain annual work permits and travel parole documents to work and  
14 attend business meetings or otherwise travel outside the U.S. Plaintiffs also have other  
15 disadvantages of not being secure legal residents. Plaintiffs were recently denied a favorable life  
16 insurance term solely because they are not permanent residents. Plaintiff Rodriguez Torres  
17 recently had to cancel a critical business trip to Taiwan because his travel document had not yet  
18 been processed.

19 16. Plaintiffs continue to suffer emotional harm because of the uncertainty of their status in  
20 the United States. Plaintiffs have been damaged by the interminable pendency of their  
21 applications and cannot begin to accrue the necessary five years' residence and physical presence  
22 to qualify for U.S. Citizenship.

23 17. In violation of the Administrative Procedures Act, Defendants are unreasonably delaying  
24 and unlawfully withholding action on Plaintiffs' applications. This failure to perform their legal  
25 duty has forced Plaintiff to hire an attorney to bring this action.

**FIRST CLAIM FOR RELIEF**

18. Plaintiffs re-allege and incorporate by reference paragraphs 1 through 17 above.

19. Defendants owe Plaintiffs a clear and certain duty to adjudicate their applications within a reasonable time period. Plaintiffs freely admit that USCIS has no duty to *approve* the applications; USCIS does have a duty, however, to *adjudicate* the applications and either approve or deny the applications on a timely basis, pursuant to 8 USC §1255, 5 USC §555, 706, and the Due Process Clause of the Constitution.

20. USCIS has given no indication that an adjudication of Plaintiffs' applications is forthcoming. A delay of three years is unreasonable for an application for adjustment of status to lawful permanent resident. Defendants have, therefore, failed to perform their assigned duties.

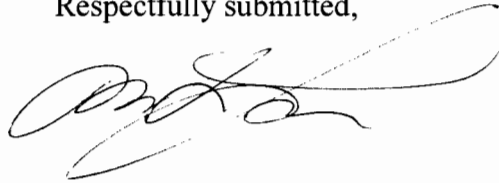
21. Plaintiffs have suffered and will continue to suffer irreparable injury as a result of the Defendants' failure to adjudicate their adjustment applications. Plaintiffs have experienced and will continue to experience hardship as a result of the inordinate and unreasonable delays in obtaining lawful permanent resident status to which they are entitled pursuant to the laws enacted by Congress, including restrictions on their ability to travel abroad, and eventually become U.S. citizens. Plaintiffs have no other adequate remedy other than a mandamus action.

**RELIEF REQUESTED**

22. Plaintiffs respectfully request that this Court assume jurisdiction over this action; issue a Writ of Mandamus compelling Defendants to act on the pending Plaintiffs' FBI name checks which are needed to adjudicate the applications for adjustment of status, adjudicate the applications for adjustment of status, award Plaintiffs reasonable costs and attorneys' fees; and award such further relief as the Court deems just or appropriate.

DATED: June 25, 2007

Respectfully submitted,



MARTIN J. LAWLER



MARTIN J. LAWLER (CSBN 77127)  
 MAXINE BAYLEY (DC 490710)  
 Attorneys  
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

Joaquin A. RODRIGUEZ TORRES	)	
Cornelia M. STEUBE	)	Civil Case No.
	)	
Plaintiffs,	)	
	)	
v.	)	Agency Case Nos. 97-865-459
	)	97-865-460
Gerard Heinauer, Director	)	
U.S. Citizenship & Immigration Services	)	
Nebraska Service Center,	)	CERTIFICATE OF INTERESTED ENTITIES
	)	OR PERSONS
Dr. Emilio T. Gonzalez, Director	)	
U.S. Citizenship & Immigration Services,	)	
	)	
Michael Chertoff, Secretary of the U.S.	)	
Department of Homeland Security,	)	
	)	
Robert Mueller, Director,	)	
Federal Bureau of Investigation,	)	
	)	
Alberto Gonzales, Attorney General	)	
U.S. Department of Justice	)	
	)	
Defendants.	)	


CERTIFICATE OF INTERESTED ENTITIES OR PERSONS

CERTIFICATE OF INTERESTED ENTITIES OR PERSONS

1 Pursuant to Civil Local Rule 3-16, the undersigned certifies that as of this date, other than  
2 named parties, there is no such interest to report.

3  
4  
5 Respectfully submitted,

6  
7  
8 DATED: June 25, 2007

  
9 MARTIN J. LAWLER

MARTIN J. LAWLER (CSBN 77127)  
MAXINE BAYLEY (DC 490710)

Attorneys

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Cornelia M. STEUBE )

Plaintiffs, )

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Nebraska Service Center, )

Dr. Emilio T. Gonzalez, Director )  
U.S. Citizenship & Immigration Services, )

Michael Chertoff, Secretary of the U.S. )  
Department of Homeland Security, )

Robert Mueller, Director, )  
Federal Bureau of Investigation, )

Alberto Gonzales, Attorney General )  
U.S. Department of Justice )

Defendants. )

Civil Case No.

Agency Case Nos. 97-865-459  
97-865-460

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing complaint and attached documents were, on this date, served upon all counsel of record and defendants by placing a copy of the same in the United States Mail, postage paid, and sent to the their last known address as follows:

Edward Olsen, AUSA  
U.S. Department of Justice  
450 Golden Gate Ave  
10<sup>th</sup> Floor, Box 36055  
San Francisco, CA 94102

Alberto Gonzales, U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001


Gerard Heinauer, Director  
U.S. Citizenship & Immigration Services  
Nebraska Service Center  
P.O. Box 82521  
Lincoln, NE 68501-2521

Emilio T. Gonzalez, Director  
U.S. Citizenship & Immigration Services  
20 Massachusetts Ave., NW  
Washington, DC 20529

Michael Chertoff, Director  
U.S. Dept. of Homeland Security  
Washington, DC 20528

Robert Mueller, Director  
Federal Bureau of Investigation (FBI)  
J. Edgar Hoover Building  
935 Pennsylvania Ave., NW  
Washington, DC 20535-0001

San Francisco, CA this 25th day of June, 2007.

  
\_\_\_\_\_  
Maxine D. Bayley  
On Behalf of Plaintiffs



**DECLARATION**

I, Joaquin A. Rodriguez Torres, hereby state and declare as follows:

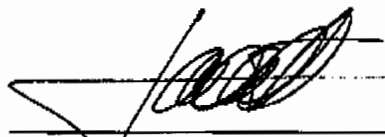
1. My name is Joaquin A. Rodriguez Torres. I reside at 811 Sun Blossom Lane, Redwood City, CA 94065. I am a citizen of Argentina and have a pending application for permanent residence. My wife has a pending application as my dependant. I make this Declaration in support of an action for mandamus by which I hope to obtain an order instructing the FBI to complete my and my wife's FBI name checks so that our applications can be adjudicated.
2. I am married to Cornelia M. Steube, a citizen of Germany. We have three U.S. citizen children together. We all live together in the home we own in Redwood City. We recently bought a second home in Alpine Meadows, CA.
3. I originally entered the United States with an F-1 visa to complete my Masters degree in Business Administration at the University of Virginia, where I graduated with honors. I subsequently changed status to H-1B to work for Lehman Brothers. On June 14, 2004, I filed an immigrant visa petition (Form I-140) under the national interest category, which was approved on September 8, 2005. On June 14, 2004 my wife and I also filed applications for adjustment of status with the California Service Center of the USCIS. These applications were thereafter transferred to the Nebraska Service Center for processing. I have been issued work and travel ("parole letter") permits which must be extended annually.
4. I now work for Deutsche Bank Securities, Inc. as an investment banker. My title is Director Semiconductor Investment Banking. I arrange funding for start up companies, take corporations public, and help companies merge and acquire businesses in the specialized semiconductor industry. For example, I have recently arranged a \$6 billion funding to finance a \$10 billion buyout of a semiconductor company. My team has advised about 50% of the semiconductor companies that went public in the NASDAQ in the last two years.

- 1 5. My wife and I have been fingerprinted for our adjustment applications three times by the  
2 USCIS – August 4, 2004, October 5, 2005, and March 7, 2007. The USCIS appointment  
3 notices are attached at Exhibit D.
- 4 6. Our attorney has received an email from USCIS indicating that our applications remain  
5 pending the completions of an FBI name check. This communication is attached to our  
6 complaint at Exhibit E.
- 7 7. We must extend our work and travel permits annually which I need to travel. My  
8 occupation requires that I travel frequently and usually on short notice, to international  
9 locations for business meetings. Recently, I had to cancel a trip to Taiwan for a  
10 multibillion-dollar transaction, because my travel documents have not been processed,  
11 despite having been filed with the Nebraska Service Center on April 18, 2007. Thus, not  
12 being a permanent resident is adversely affecting my work. I understand that after July  
13 30, 2007, the annual USCIS filing fees to extend my and my wife's temporary work and  
14 travel permits will be in excess of \$600.
- 15 8. I want to be secure in the United States as a permanent resident and apply for citizenship  
16 as soon as I can so that I may vote, travel with a U.S. passport and be able to sponsor my  
17 close relatives for permanent resident status. There are other detriments to not being a  
18 permanent resident of the U.S. For example, I cannot get favorable life insurance terms  
19 for me or my wife solely because we are not permanent residents.
- 20 9. I am eligible for permanent residence. We own property here, have American children  
21 and I ask this Court to stop this bureaucratic delay and to order the FBI to complete the  
22 name check and for my wife and I and order USCIS to adjudicate our applications.

23  
24 Everything in this declaration is true and correct.

25  
26 JUNE 25, 2007.

27 Date

  
Joaquin A. Rodriguez Torres

**EXHIBIT B**



RECEIPT NUMBER WAC-04-183-50797		CASE TYPE I140 IMMIGRANT PETITION FOR ALIEN WORKER
RECEIPT DATE June 16, 2004	PRIORITY DATE June 14, 2004	PETITIONER RODRIGUEZ TORRES, JOAQUIN A.
NOTICE DATE September 8, 2005	PAGE 1 of 1	BENEFICIARY A97 865 459 RODRIGUEZ TORRES, JOAQUIN A.
JOAQUIN A. RODRIGUEZ TORRES 811 SUN BLOSSOM LN REDWOOD CITY CA 94065		<b>Notice Type:</b> Approval Notice Section: Indiv w/Adv Deg or Exceptional Ability in the National Interest

Courtesy Copy: Original sent to: KOERNER ESQ, ANDREW S

This courtesy notice is to advise you of action taken on this case. The official notice has been mailed to the attorney or representative indicated above. Any relevant documentation included in the notice was also mailed as part of the official notice.

The above petition has been approved. The person this petition is for will be notified separately when a decision is reached on his or her pending adjustment of status application.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

This courtesy copy may not be used in lieu of official notification to demonstrate the filing or processing action taken on this case.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111

LAGUNA NIGUEL CA 92607-0111

Customer Service Telephone: (800) 375-5283







RECEIPT NUMBER WAC-04-183-50764		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE June 14, 2004	PRIORITY DATE	APPLICANT A97 865 459 RODRIGUEZ TORRES, JOAQUIN A.
NOTICE DATE June 16, 2004	PAGE 1 of 1	
ANDREW S. KOERNER ESQ LEAF & ASSOCIATES RE: JOAQUIN ALBERTO CELESTINO RODR 100 S E 2ND STREET STE 2330 MIAMI FL 33131		Notice Type: Receipt Notice  Amount received: \$ 385.00 Section: Adjustment as direct beneficiary of immigrant petition

The above application or petition has been received. It usually takes 730 to 730 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number (800) 375-5293 to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).

If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at **1-800-375-5283**. If you are hearing impaired, please call our TDD at **1-800-767-1833**.

You can also visit the INS on the internet at [www.bcis.gov](http://www.bcis.gov). On our web site you can get up-to-date case status information on your case and find valuable information about immigration services and benefits.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283





RECEIPT NUMBER WAC-04-183-51084		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE June 14, 2004	PRIORITY DATE	APPLICANT A97 865 460 STEUBE, CORNELIA M.
NOTICE DATE June 16, 2004	PAGE 1 of 1	

ANDREW KOERNER ESQ  
LEAF & ASSOCAITES LLC  
RE: CORNELIA MARIANA STEUBE  
100 SE 2ND STREET STE 2330  
MIAMI FL 33131

**Notice Type:** Receipt Notice  
  
Amount received: \$ 385.00  
Section: Adjustment as direct  
beneficiary of immigrant  
petition

The above application or petition has been received. It usually takes 730 to 730 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number (800) 375-5283 to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).

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Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283



**EXHIBIT C**



## THE UNITED STATES OF AMERICA



RECEIPT NUMBER WAC-04-183-50764		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE June 16, 2004	PRIORITY DATE	APPLICANT A097 865 459 RODRIGUEZ TORRES, JOAQUIN A.
NOTICE DATE March 6, 2007	PAGE 1 of 1	
JOAQUIN A. RODRIGUEZ TORRES 811 SUN BLOSSOM LN REDWOOD CITY CA 94065		Notice Type: Transfer Notice

This is to advise you that in order to speed up processing we have transferred the above case to the following USCIS office for processing:

Nebraska Service Center, P.O. BOX 82521, Lincoln, NE 68501-2521

That office will notify you of the decision made on the application or petition.

Please read the following information before attempting to contact the National Customer Service Center for an update:

Please refer to the USCIS processing dates webpage, via the USCIS home webpage <http://www.uscis.gov/graphics/index.htm>, to locate the processing dates for the specific service center that your case was transferred to. If the service center is within processing time for your particular application or petition, USCIS cannot provide an update on your case. If the service center is outside of processing time for your particular application or petition, please call Customer Service at 1-800-375-5283 to request an update.

Please read the following information if you submitted a Premium Processing application or petition:

Please contact the Premium Processing phone number at 1-866-315-5718 for inquiries. The 15-day Premium Processing clock does not start until the correct office receives the application or petition.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER

P. O. BOX 30111

LAGUNA NIGUEL CA 92607-0111

Customer Service Telephone: (800) 375-5283





## THE UNITED STATES OF AMERICA



RECEIPT NUMBER WAC-04-183-51084		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE June 16, 2004	PRIORITY DATE	APPLICANT A097 865 460 STEUBE, CORNELIA M.
NOTICE DATE March 6, 2007	PAGE 1 of 1	
CORNELIA M. STEUBE 811 SUN BLOSSOM LN REDWOOD CITY CA 94065		Notice Type: Transfer Notice

This is to advise you that in order to speed up processing we have transferred the above case to the following USCIS office for processing:

Nebraska Service Center, P.O. BOX 82521, Lincoln, NE 68501-2521

That office will notify you of the decision made on the application or petition.

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U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283







**ASC Appointment Notice**

<b>CASE TYPE</b> I485 Application to Register Permanent Resident or Adjust Status	<b>APPLICATION NUMBER</b> WAC0418350764	<b>NOTICE DATE</b> 2/21/2007
	<b>SOCIAL SECURITY NUMBER</b>	<b>USCIS A#</b> A097865459
	<b>TCR</b>	<b>SERVICE CENTER</b> WSC
		<b>CODE</b> 1
		<b>PAGE</b> 1 of 1

JOAQUIN A RODRIGUEZ TORRES  
811 SUN BLOSSOM LN  
REDWOOD CITY, CA 94065

ACCOUNT CODE: XTD  
MAR 07 2007  
641



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

**PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.**

**IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.**

**APPLICATION SUPPORT CENTER**

USCIS SAN FRANCISCO  
250 BROADWAY STREET  
SAN FRANCISCO, CA 94111

**PLEASE READ THIS ENTIRE NOTICE CAREFULLY.**

**DATE AND TIME OF APPOINTMENT**

03/07/2007  
1:00 PM

**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

**CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.**

**REQUEST FOR RESCHEDULING**

- ☐ Please reschedule my appointment. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS SAN FRANCISCO, 250 BROADWAY STREET, SAN FRANCISCO, CA 94111

**APPLICATION NUMBER 1**

I485 - WAC0418350764



If you have any questions regarding this notice, please call 1-800-375-5283.

**WARNING!**

*Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.*

*If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.*



# **ASC Appointment Notice**

APPLICATION NUMBER

WAC0418351084

NOTICE DATE

2/21/2007

CASE TYPE

I485 Application to Register Permanent Resident or Adjust Status

SOCIAL SECURITY NUMBER

USCIS A#

A097865460

CODE

1

TCR

SERVICE CENTER

WSC

PAGE

1 of 1

CORNELIA M STEUBE  
811 SUN BLOSSOM LN  
REDWOOD CITY, CA 94065

APPOINTMENT CODE: XTD  
 TELEPHONE NUMBER: 415 774 6000  
 APPOINTMENT DATE: HD ON MAR 07 2007



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## **APPLICATION SUPPORT CENTER**

USCIS SAN FRANCISCO  
250 BROADWAY STREET  
SAN FRANCISCO, CA 94111

**PLEASE READ THIS ENTIRE NOTICE CAREFULLY.**

## **DATE AND TIME OF APPOINTMENT**

03/07/2007

1:00 PM

**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

**CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.**

## **REQUEST FOR RESCHEDULING**

- ☐ Please reschedule my appointment. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS SAN FRANCISCO, 250 BROADWAY STREET, SAN FRANCISCO, CA 94111

APPLICATION NUMBER 1

I485 - WAC0418351084



If you have any questions regarding this notice, please call 1-800-375-5283.

## **WARNING!**

*Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.*

*If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.*

**ASC Appointment Notice**NOTICE DATE  
09/22/2005

## CASE TYPE

I485 Application to Register Permanent Resident or Adjust Status

## SOCIAL SECURITY NUMBER

USCIS A#

A097865460

## APPLICATION NUMBER

WAC0418351084

## CODE

3

## SERVICE CENTER

WSC

## PAGE

1 of 1

CORNELIA STEUBE  
811 SUN BLOSSOM LN  
REDWOOD CITY, CA 94065**BIOMETRICS PROCESSING STAMP**ASC SITE CODE: XTD  
BIOMETRICS QA REVIEW BY:826 ON OCT 05 2005TENPRINTS QA REVIEW BY:  
157914 ON OCT 05 2005

To process your application, the U. S. Citizenship &amp; Immigration Services (USCIS) must capture your biometrics.

**PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.**

If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below.

**RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW AND FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.****APPLICATION SUPPORT CENTER**USCIS SAN FRANCISCO  
250 BROADWAY STREET  
SAN FRANCISCO, CA 94111**DATE AND TIME OF APPOINTMENT**10/05/2005  
12:00 PM**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

**REQUEST FOR RESCHEDULING**Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

U. S. Citizenship &amp; Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible.

Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:

USCIS SAN FRANCISCO  
250 BROADWAY STREET  
SAN FRANCISCO, CA 94111

## APPLICATION NUMBER 1

I485 - WAC0418351084



If you have any questions regarding this notice, please call 1-800-375-5283.

**WARNING!***Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.**If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.*



**ASC Appointment Notice**NOTICE DATE  
09/22/2005

## CASE TYPE

I485 Application to Register Permanent Resident or Adjust Status

## SOCIAL SECURITY NUMBER

USCIS A#

A097865459

## APPLICATION NUMBER

WAC0418350764

## CODE

3

## SERVICE CENTER

WSC

## PAGE

1 of 1

JOAQUIN RODRIGUEZ TORRES  
811 SUN BLOSSOM LN  
REDWOOD CITY, CA 94065

## BIOMETRICS PROCESSING STAMP

ASC SITE CODE: XTD  
BIOMETRICS QA REVIEW BY: 8/22 ON OCT 05 2005TENPRINTS QA REVIEW BY: 8/22 ON OCT 05 2005

To process your application, the U. S. Citizenship &amp; Immigration Services (USCIS) must capture your biometrics.

**PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.**

If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below.

**RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW AND FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.**

## APPLICATION SUPPORT CENTER

USCIS SAN FRANCISCO  
250 BROADWAY STREET  
SAN FRANCISCO, CA 94111

## DATE AND TIME OF APPOINTMENT

10/05/2005  
12:00 PM**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

**REQUEST FOR RESCHEDULING**Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

U. S. Citizenship &amp; Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible.

Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:

USCIS SAN FRANCISCO  
250 BROADWAY STREET  
SAN FRANCISCO, CA 94111

## APPLICATION NUMBER 1

I485 . WAC0418350764



If you have any questions regarding this notice, please call 1-800-375-5283.

**WARNING!***Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.**If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.*

## DBI TENPRINTER Applicant Information Worksheet (AIW)

When you have completed this worksheet, turn it into the receptionist. Have this worksheet, your appointment notification letter and picture identification available.

NAME: RODRIGUEZ TORRES, JOAQUIN ALBERTO  
Last First Middle Suffix

DATE OF BIRTH: 1971 06 19 PHONE #: (650) 592 5098  
Year Month Day

PLACE OF BIRTH: ARGENTINA SEX: (Male or Female) MALE

**RACE:** Check the most appropriate code below:

☐ American Indian or Alaskan Native      ☐ Black      ☒ White (Hispanic also check)

Asian or Pacific Island      Unknown

HEIGHT: 5 Feet 9 Inches

WEIGHT: 185 Pounds

**EYE COLOR:** Check the most appropriate code below:

☐ Black ☐ Brown ☒ Green ☐ Gray ☐ Pink ☐ Hazel ☐ Blue ☐ Maroon

**HAIR COLOR:** Check the most appropriate code below:

Black   Bald   White   Sandy   Red   Gray   Blonde   ☒ Brown

COUNTRY OF CITIZENSHIP: ARGENTINA

SOCIAL SECURITY NUMBER: 223 -- 86 -- 4110

ALIEN REGISTRATION NUMBER: A 097 865 459

**LIST ANY OTHER NAMES YOU HAVE USED:**

Last	First	Middle	Suffix
Smith	John	David	III
Johnson	Emily	Ann	
Williams	Robert	James	II
Brown	Sarah	Elizabeth	
Miller	Michael	Charles	I
Wilson	Anna	Marie	
Moore	Christopher	William	IV
Anderson	Michelle	Ann	
Clark	David	John	III
White	Robert	James	II
Green	Sarah	Elizabeth	
Black	Michael	Charles	I
Gray	Anna	Marie	
Lee	Christopher	William	IV
Walker	Michelle	Ann	
Harris	David	John	III
Young	Robert	James	II
King	Sarah	Elizabeth	
Wright	Michael	Charles	I
Scott	Anna	Marie	
Adams	Christopher	William	IV
Nelson	Michelle	Ann	
Baker	David	John	III
Evans	Robert	James	II
Roberts	Sarah	Elizabeth	
Turner	Michael	Charles	I
Phillips	Anna	Marie	
Campbell	Christopher	William	IV
Parker	Michelle	Ann	
Miller	David	John	III
Johnson	Robert	James	II
Williams	Sarah	Elizabeth	
Brown	Michael	Charles	I
Miller	Anna	Marie	
Wilson	Christopher	William	IV
Anderson	Michelle	Ann	
Clark	David	John	III
White	Robert	James	II
Green	Sarah	Elizabeth	
Black	Michael	Charles	I
Gray	Anna	Marie	
Lee	Christopher	William	IV
Walker	Michelle	Ann	
Harris	David	John	III
Young	Robert	James	II
King	Sarah	Elizabeth	
Wright	Michael	Charles	I
Scott	Anna	Marie	
Adams	Christopher	William	IV
Nelson	Michelle	Ann	
Baker	David	John	III
Evans	Robert	James	II
Roberts	Sarah	Elizabeth	
Turner	Michael	Charles	I
Phillips	Anna	Marie	
Campbell	Christopher	William	IV
Parker	Michelle	Ann	
Miller	David	John	III
Johnson	Robert	James	II
Williams	Sarah	Elizabeth	
Brown	Michael	Charles	I
Miller	Anna	Marie	
Wilson	Christopher	William	IV
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Clark	David	John	III
White	Robert	James	II
Green	Sarah	Elizabeth	
Black	Michael	Charles	I
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Wright	Michael	Charles	I
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Adams	Christopher	William	IV
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Phillips	Anna	Marie	
Campbell	Christopher	William	IV
Parker	Michelle	Ann	
Miller	David	John	III
Johnson	Robert	James	II
Williams	Sarah	Elizabeth	
Brown	Michael	Charles	I
Miller	Anna	Marie	
Wilson			

**RESIDENCE ADDRESS:**

34 WATERSIDE CIR. - REDWOOD CITY CA 94065

Street number and name	Apartment #	City	State	Zip Code
34 WATERSIDE CIR.	-	REDWOOD CITY	CA	94065

REASON FOR FINGERPRINT APPLICATION: (I-485, I-589, I-600, I-821, N-400): 1485

LOCAL AIW STAMP

FD-258 Completed at INS/ASC: SFR / XTD

On: 8/4/04 By: 827326

QC Check Completed By:

## DBI TENPRINTER Applicant Information Worksheet (AIW)

When you have completed this worksheet, turn it into the receptionist. Have this worksheet, your appointment notification letter and picture identification available.

NAME: STUBBS CORNELIA M.

DATE OF BIRTH: 1970 05 29 PHONE #: 650 592 5096  
Year Month Day

PLACE OF BIRTH: GERMANY SEX: (Male or Female) FEMALE

**RACE:** Check the most appropriate code below:

☐ American Indian or Alaskan Native    ☐ Black    ☒ White (Hispanic also check)

Asian or Pacific Island                      Unknown

HEIGHT: 5 Feet 9 Inches

WEIGHT: 165 Pounds

**EYE COLOR:** Check the most appropriate code below:

Black   Brown   Green   Gray   Pink   Hazel   ~~Blue~~   Maroon

**HAIR COLOR:** Check the most appropriate code below:

Black   Bald   White   Sandy   Red   Gray   ~~Blonde~~   Brown

COUNTRY OF CITIZENSHIP: GERMANY

SOCIAL SECURITY NUMBER: --                      --

ALIEN REGISTRATION NUMBER: A 097 865 460

**LIST ANY OTHER NAMES YOU HAVE USED:**

Stewbo                      Cornelia                      Mariana

Last                      First                      Middle                      Suffix

RESIDENCE ADDRESS:

34 WATERSEIDE CIR		REDWOOD CITY CA	94065	
Street number and name	Apartment #	City	State	Zip Code

REASON FOR FINGERPRINT APPLICATION: (I-485, I-589, I-600, I-821, N-400): I-485

LOCAL AIW STAMP  
FD-258 Completed at INS/ASC: SFR / XTD  
On: 8/4/84 By: 5162/2  
OC Check Completed By: 502





Fingerprint Notification			NOTICE DATE July 01, 2004
CASE TYPE I485 Application To Register Permanent Residence Or Adjust Status			INS A# A 097 865 459
APPLICATION NUMBER FPS*002569888	RECEIVED DATE June 14, 2004	PRIORITY DATE June 14, 2004	PAGE 1 of 1
APPLICANT NAME AND MAILING ADDRESS  JOAQUIN A RODRIGUEZ TORRES 34 WATERSIDE CIRCLE REDWOOD CITY CA 94065			
			
To process your application, INS must take your fingerprints and have them cleared by the FBI. <b>PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.</b> If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below. <b>RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW OR FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.</b>			
APPLICATION SUPPORT CENTER INS SAN FRANCISCO 250 BROADWAY STREET SAN FRANCISCO CA 94111		DATE AND TIME OF APPOINTMENT 08/04/2004 08:00 AM	
<b>WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR FINGERPRINTS TAKEN, YOU MUST BRING:</b> <b>1. THIS APPOINTMENT NOTICE and</b> <b>2. PHOTO IDENTIFICATION.</b> Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.			
<b>PLEASE DISREGARD THIS NOTICE IF YOUR APPLICATION HAS ALREADY BEEN GRANTED.</b>			
<b>REQUEST FOR RESCHEDULING</b>  Please reschedule my appointment for the next available: <input type="checkbox"/> Wednesday afternoon <input type="checkbox"/> Saturday afternoon  INS cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:  INS SAN FRANCISCO 250 BROADWAY STREET SAN FRANCISCO CA 94111  If you have any questions regarding this notice, please call 1-800-375-5283.			
APPLICATION NUMBER FPS*002569888		APPLICANT COPY 	
<b>WARNING!</b> <i>Due to limited seating availability in our lobby areas, only persons who are necessary to assist with transportation or completing the fingerprint worksheet should accompany you.</i>			



Fingerprint Notification			NOTICE DATE July 01, 2004
CASE TYPE I485 Application To Register Permanent Residence Or Adjust Status			INS A# A 097 865 460
APPLICATION NUMBER FPS*002569892	RECEIVED DATE June 14, 2004	PRIORITY DATE June 14, 2004	PAGE 1 of 1
APPLICANT NAME AND MAILING ADDRESS  CORNELIA M STEUBE 34 WATERSIDE CIRCLE REDWOOD CITY CA 94065			
			
To process your application, INS must take your fingerprints and have them cleared by the FBI. <b>PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.</b> If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below. <b>RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW OR FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.</b>			
APPLICATION SUPPORT CENTER INS SAN FRANCISCO 250 BROADWAY STREET SAN FRANCISCO CA 94111		DATE AND TIME OF APPOINTMENT 08/04/2004 08:00 AM	
<b>WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR FINGERPRINTS TAKEN, YOU MUST BRING:</b> 1. <b>THIS APPOINTMENT NOTICE</b> and 2. <b>PHOTO IDENTIFICATION.</b> Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.			
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<b>REQUEST FOR RESCHEDULING</b>  Please reschedule my appointment for the next available: <input type="checkbox"/> Wednesday afternoon <input type="checkbox"/> Saturday afternoon  INS cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:  INS SAN FRANCISCO 250 BROADWAY STREET SAN FRANCISCO CA 94111  If you have any questions regarding this notice, please call 1-800-375-5283.			
APPLICATION NUMBER FPS*002569892		APPLICANT COPY 	
<b>WARNING!</b> <i>Due to limited seating availability in our lobby areas, only persons who are necessary to assist with transportation or completing the fingerprint worksheet should accompany you.</i>			



## Martin Lawler

---

**From:** Connie Steube [conniesteube@sbcglobal.net]  
**Sent:** Thursday, May 31, 2007 9:19 AM  
**To:** Martin Lawler  
**Subject:** FW: WAC-04-183-50797

Dear Mr. Lawler,  
Find below an e-mail attorney Leaf sent to the CSC before the I-140 approval. It describes Joaquin's background and the reason for the "national interest".

Regards,  
Connie

-----Original Message-----

**From:** Maralyn D. Leaf [mailto:mdleaf@leaflaw.com]  
**Sent:** Thursday, September 01, 2005 4:03 PM  
**To:** 'Connie Steube'  
**Subject:** FW: WAC-04-183-50797

Please see my immediate email response to the CSC.

Maralyn D. Leaf, Esq.

### LEAF KOERNER, LLC.

Bank Of America Tower  
at International Place  
100 S.E. 2nd Street  
Suite 2330  
Miami, Florida 33131  
Tel: (305) 373-0733  
Fax: (305) 373-0734  
Web: www.leaflaw.com

-----Original Message-----

**From:** Maralyn D. Leaf [mailto:mdleaf@leaflaw.com]  
**Sent:** Thursday, September 01, 2005 6:23 PM  
**To:** 'CSC-XII.140@dhs.gov'  
**Subject:** WAC-04-183-50797

Dear Sir/Madam:

Our office filed an I-140 petition for Mr. Joaquin Rodriguez Torres on June 14, 2004, as an advanced degree professional in the National Interest of the United States.

We see on the Service web site that the California Service Center's processing times for this type of case is May 3, 2005. Thus, it appears that the Service is about a year past this matter. Mr. Rodriguez Torres has earned a Master's Degree from the Darden School, University of Virginia where he won the Faculty Award for Academic Excellence. He is a leader in the area of corporate finance and especially in the technology sector. He has done pioneering work in one of the most complex corporate finance topics, private equity. He has led an extensive research project on behalf of the Batten Institute. He co-authored a study entitled "Practices of Active Private Equity Firms in Latin America," considered to be one of the most thorough international case studies on the subject. "Mr. Rodriguez Torres experience in structuring public offerings in volatile sectors such as technology, most definitely sets him apart from those in the industry." Trish Regan, National Television Correspondent, CBS Market Watch, San Francisco.

Clearly, in our "national interest," Mr. Rodriguez Torres' petition should be approved and he deserves a warm

5/31/2007

welcome to the United States.

Thank you for your kind attention to this matter.

Sincerely,  
Maralyn Leaf, Esq.

Maralyn D. Leaf, Esq.

LEAF KOERNER, LLC.

Bank Of America Tower  
at International Place  
100 S.E. 2nd Street  
Suite 2330  
Miami, Florida 33131  
Tel: (305) 373-0733  
Fax: (305) 373-0734  
Web: [www.leaflaw.com](http://www.leaflaw.com)

5/31/2007